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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|---------------------------|---------------------|------------------|
| 10/082,723 | 02/26/2002 | Thomas Calvin Cannon, JR. | | 4735 |

7590 10/15/2004

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5165 Phantom Court
Columbia, MD 21044-1318

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| EXAMINER |
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AGWUMEZIE, CHARLES C

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| ART UNIT | PAPER NUMBER |
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3621

DATE MAILED: 10/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/082,723

Applicant(s)

CANNON,, THOMAS CALVIN

Examiner

Charlie C. Agwumezie

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/26/02.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Randle et al. U.S. Patent 6,594,647 in view of Lawlor et al U.S. Patent 6,202,064.

As per Claim 1, Randle et al discloses a system for online transactions comprising: a customer interface device for connecting buyers to either a voice or data network (col. 13 line 5+, col. 10 line 25), a network of banks (col. 11, line 30), a collection of buyers each of which maintains a buyer account with at least one of the banks in the network of banks (col. 12, line 10+), a collection of payees each of which maintains a payee account with at least one of the banks in the network of banks (col. 10, line 10+).

Randle further discloses a centralized agent (See Fig. 1 ECTS) that directs the transfer of funds from a buyer account into a payee account, however, Randle et al does not explicitly disclose an agent that directs the transfer of funds from the buyer account into a holding account residing in the same bank as the buyer account within the network of banks and also directs the transfer of funds into payee account from holding account residing in the same bank as the payee account within the network of

banks. Randle further failed to disclose a network of holding accounts with at least one holding account residing in each of the banks in the network of banks.

Lawlor et al discloses a system for making online payments comprising a network of participating banks and teach a network of holding accounts (see col. 46, line 65+) with at least one holding account residing in each of the banks in the network of banks. Lawlor et al further discloses an agent that directs the transfer of funds from a the buyer/user account into holding accounts residing in the same bank as the buyer/user account within the network of banks, and also direct the transfer of funds into a payee account from a holding account residing in the same bank as the payee account within the network of banks. Accordingly it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Randle et al and incorporate holding accounts of Lawlor et al to achieve cost effective and easier funds transfer.

3. As per claim 2, Randle et al further discloses a means for authenticating buyers and payees and enforcing security (see col. 3 line 45, col. 4 line 25+ and line 50+)

4. Regarding claim 3, Randle further discloses a process for settling imbalances between the various holding accounts. (See fig.7, col. 3, line 65+)

4. As per claim 4, Randle further discloses a means for delivering transaction logs to payees who maintain accounts within the network of banks (see col. 3, line 65+, col.12, line 60).

Allowable Subject Matter

Claim 5 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

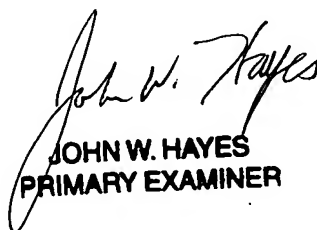
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The reference cited to Munoz, U.S. Application Publication No. 2002/0052853 A1 is considered relevant to the claimed invention:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Agwumezie whose number is (703) 305-0586. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305 – 9768. The fax phone number for the organization where the application or proceeding is assigned is (703) 305-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).


JOHN W. HAYES
PRIMARY EXAMINER